

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, APRIL 12, 1999
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wear at 2:07 p.m. Council Member Kehoe announced that she is sponsoring a Y2K Information Fair on Saturday, April 17, at 10:00 a.m. at the Balboa Park Club. She further stated that they will have information on City services, banking, emergency medical care, and other financial issues. Ms. Kehoe urged everyone to attend. Council Member Stallings invited everyone to join her at Rose Creek Cottage in Pacific Beach on Saturday, April 24, from 9:00 a.m. to 1:00 p.m., for a cleanup of Rose Creek. There will be ecology events including water testing, fish and wildlife identification, and members of an Indian Tribe demonstrating Indian basket weaving techniques using the Torrey Pines needles. There will also be native ceremonial dances and burning of sage to welcome back the salmon to Rose Creek. The meeting was adjourned by Deputy Mayor Wear at 5:30 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-excused by R-291522 (other official City business)

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-excused by R-291504 (no reason given)

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour/Fishkin (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-not present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-not present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Minister John W. Smith of Church of Christ.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

FILE LOCATION: MINUTES

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell questioning the City's urgency to build a downtown ballpark that only holds 42,000 fans when there were 60,000 fans that attended the Padres Hometown Opener. Mr. Stillwell also requested that there be a criteria for those running for Mayor and he urged Council Member McCarty to consider running for that position. Mr. Stillwell further commented on the main library issue, and the debt load that would be placed on taxpayers if the projected revenues do not materialize. He also voiced his concern of a major gridlock developing if an afternoon baseball game ends at the same time that a convention ends, which may cause conventions to not be booked in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A058-082.)

PUBLIC COMMENT-2: REFERRED TO CITY MANAGER

Comment by Dean Williams stating that he called the Environmental Services Department to request that they cut the weeds located on a City walkway along the underpass of a bridge in District 8, and was told that it was not their job. He then contacted the Weed Abatement Division regarding the weeds and was told that it was not their job. Mr. Williams then contacted CALTRANS and was told that the weeds were on City property and that he would have to contact the City. Mr. Williams then proceeded to cut the weeds himself and was stopped and told that he was out of his boundaries because some of the weeds were on City property and that he was in violation of City policy. He requested that someone from the Council address this issue because it is a public eye sore and it is located where the trolley takes commuters from San Diego down to Laurel Street.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A083-114.)

PUBLIC COMMENT-3:

Comment by Rich Pearson regarding the \$19,000 that the City said they gave him for temporary housing. He informed Council that the truth was that he was kicked out of a hotel, suffered a stroke, and nearly had a heart attack. The City has not paid him one dime for the last ten months for housing and he is now living in a camping trailer. Mr. Pearson then stated that the Risk Management Department will not even speak to him. The City said they paid him \$9,000 and that he did not cash the check. Mr. Pearson stated that he cashed the check immediately, but it took the City nine months to pay him the advancement which caused him to lose his business. He concluded by stating that he rejected the City's fair offer for his property.

City Attorney Leslie Devaney responded that they are still dealing with Mr. Pearson, who has an attorney. She stated that the appropriate way to handle this issue is for the City attorneys to negotiate with his attorney. She further stated that Mr. Pearson has filed more claims with the Risk Management Department and that those claims are exactly the same as the first claim. Ms. Devaney concluded by stating that they intend to have ongoing negotiations with Mr. Pearson's attorney.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: A115-153.)

PUBLIC COMMENT-4:

Comment by Jim Baross, representing the San Diego County Bicycle Coalition, thanking the City employees, the Traffic Department, and the City Council for responding so effectively to the concerns of bicyclists and pedestrians about a safety issue having to do with the reconfiguration of travel lanes in Sorrento Valley Parkway. The travel space previously marked as bike lanes on Sorrento Valley Parkway were suddenly deleted leaving bicycle and pedestrian travelers to contend with significantly faster vehicular traffic. Mr. Baross further stated that they are pleased to hear that the Planning and Development Review Department will be seeking the expertise of the Traffic Department, specifically the City Bicycle Coordinator, before pursuing future changes to sidewalks, bike pass roads, and other travel facilities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A154-166.)

PUBLIC COMMENT-5:

Comment by Roger Scott, Forrest Curo, and Yvonne Goody, regarding the lack of adequate shelter in San Diego for the homeless during the rainy season. They asked the City Council to have compassion for the homeless that are getting sick and dying. They also stated that the high rents for welfare reforms have gone way out of bounds.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A171-210.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comment by Council Member Kehoe giving special thanks to the American Association of Retired Persons for the new Senior Information Center on 30th Street and North Park. It is one of twelve information centers that they are going to open in all of California that is fully staffed by volunteers. They had the opening ceremony on Sunday afternoon.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: 211-218.)

COUNCIL COMMENT-2:

Comment by Council Member Stallings regarding the community cleanup at the Kit Carson School where they collected 67 tons of trash and 16 tons of metal for a total of 83 tons being cleaned up out of the community of Linda Vista.

Ms. Stallings also commented that they had the third annual Baskets and Botany event at the Tecolote Nature Center with the tribal members. She thanked Eloise Battle, Ranger Tracy Walker, and the community for making it such a successful event.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A219-232.)

COUNCIL COMMENT-3:

Comment by Council Member Vargas regarding emergency shelters during inclement weather. During the times that the shelter has been open the homeless and community have benefitted from them. He stated that he will be bringing this item to the Land Use and Housing Committee to see what they can do as a City.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A233-250.)

COUNCIL COMMENT-4: REFERRED TO CITY MANAGER

Comment by Deputy Mayor Wear regarding the City trimming trees in the public right-of-ways, which was part of the budget that was approved by Council. The project went forward by zip code. Deputy Mayor Wear stated that for the last couple of seasons, he has had various constituents calling his office and his staff has provided a time frame of when the trees would be trimmed. Earlier this year, the contract was suspended due to potential budget shortfalls. He would like for staff to determine the fastest way possible to reinstate the trimming contract. If there is to be any change in the level of service, he believes that it is an appropriate policy discussion that the Council needs to have if they are going to make those kinds of adjustments.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A251-267.)

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS:

APPROVED

Approval of Council Minutes for the meetings of:

3/15/99 Adjourned
3/16/99 Adjourned
3/22/99
3/22/99 Special Meeting
3/23/99
3/23/99 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A268-272.)

MOTION BY KEHOE TO APPROVE. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-31: David Thompson Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1096) ADOPTED AS RESOLUTION R-291453

Recognizing David Thompson for his outstanding efforts as "The Father of Traffic Safety," and expressing appreciation for his unwavering service and dedication to our community and, to our safety and welfare;

Proclaiming April 12, 1999 to be "David Thompson Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A273-410; A574-581.)

MOTION BY STALLINGS TO ADOPT ITEMS 31, 32, AND 33. Second by Stevens.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea,
Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-32: Earth Day and Earth Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1027) ADOPTED AS RESOLUTION R-291454

Proclaiming April 22, 1999 to be "Earth Day" and April 18 through 24, 1999 to be
"Earth Week" in San Diego.

Urging all citizens to make the connections to their actions today which will shape
our world in the future by volunteering for, or attending the EarthFair in Balboa
Park on Sunday, April 18, 1999, or by volunteering for any number of projects
that deserve our support.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A411-459; A574-581.)

MOTION BY STALLINGS TO ADOPT ITEMS 31, 32, AND 33. Second by Stevens.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea,
Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-33: David Nuffer Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-963) ADOPTED AS RESOLUTION R-291455

Commending Mr. David Nuffer for his years of commitment and services to San Diego;

Proclaiming April 12, 1999 to be "David Nuffer Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A460-581.)

MOTION BY STALLINGS TO ADOPT ITEMS 31, 32, AND 33. Second by Stevens.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea,
Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-50: Design-Build Implementation Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 3/23/99. (Council voted 7-0.
Councilmembers Kehoe and Stallings not present):

(O-99-96 Corrected) ADOPTED AS ORDINANCE O-18631 (New Series)

Amending Chapter II, Article 2, of the San Diego Municipal Code, by creating a new Division 33, titled Design-Build Contracts, and adding to it Section 22.3301, Section 22.3302, Section 22.3303, Section 22.3304, Section 22.3305, Section 22.3306, Section 22.3307, Section 22.3308, and Section 22.3309, relating to Design-Build Contracts.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-51: Amendments to the Ordinance Governing Operations of Card Clubs.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/29/99. (Council voted 5-3. Councilmembers Mathis, Wear, Kehoe, Warden, and Stallings voted yea; Councilmembers Stevens, McCarty and Vargas voted nay; Mayor Golding not present):

(O-99-94) CONTINUED TO MONDAY, APRIL 19, 1999

Amending Chapter III, Article 3, Division 39 of the San Diego Municipal Code by amending Section 33.3911, relating to Card Room regulations, to allow cardrooms in San Diego to: A) Add three games to those currently permitted, B) Extend operating hours to a 9:00 a.m. to 2:00 a.m. schedule, C) Open on Sundays, and D) Permit 9 players per table in each establishment.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A584-B060.)

Consent motion by Stevens to dispense with the reading and adopt the ordinance. Second by Stallings. Failed. Yeas-1236. Nays-478. 5M-not present.

CONSENT MOTION BY STEVENS TO CONTINUE THIS ITEM FOR ONE WEEK DUE TO A LACK OF FIVE VOTES AND FOR A FULL COUNCIL. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-52: Utility Installation in Public Right-of-Way.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/23/99. (Council voted 8-0. Councilmember Kehoe not present):

(O-99-97) ADOPTED AS ORDINANCE O-18632 (New Series)

Amending the San Diego Municipal Code Chapter VI, Article 2, Division 11, Section 62.1112, related to Relocation of Installations, to provide for cost allocation in the event a public or private project requires the removal or relocation of installations in the public right-of-way.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-53: Amending the San Diego Municipal Code relating to levying and collecting special assessments (Del Mar Terraces Neighborhood).

(District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following Ordinance which was introduced on 3/29/99. (Council voted 8-0. Mayor Golding not present.)

(O-99-101) ADOPTED AS ORDINANCE O-18633 (New Series)

Amending the San Diego Municipal Code, Chapter VI, Article 1, Division 23, by amending the title of Division 23, by amending Section 61.2300; and by adding Section 61.2361 relating to levying and collecting special assessments.

FILE LOCATION: STRT - K-265 (38)

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-54: Municipal Code Amendment for 30 Minute (Green) Parking Zones.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/29/99. (Council voted 9-0):

(O-99-103) ADOPTED AS ORDINANCE O-18634 (New Series)

Amending Chapter VIII, Article 6 of the San Diego Municipal Code by amending Section 86.06, relating to Parking, Standing, Loading Zones, Street Sweeping Zones, to change the authorizing language for time limited parking zones from "less than 30 minutes" to "30 minutes or less."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-55: The Colony at Aventine. Matter of a Rezone from R-1000 to R-600 in the University Community Planning Area.

(RZ-98-1204. University Community Area. District-1.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/23/99. (Council voted 8-0. Councilmember Kehoe not present.)

(O-99-95 Cor.Copy) ADOPTED AS ORDINANCE O-18635 (New Series)

Rezoning the 4.28 acre site located on the south side of La Jolla Village Drive and the east side of Lebon Drive, from R-1000 into R-600 Zone within the University Community Planning area.

FILE LOCATION: ZONE - Ord. No. O-18635 (24)

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-56: Office Space Lease Amendment - Executive Complex.

(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/23/99. (Council voted 8-0. Councilmember Kehoe not present):

(O-99-89) ADOPTED AS ORDINANCE O-18636 (New Series)

Authorizing the City Manager to amend the Lease Agreement with Executive One Associates for an approximately 104,328 square-foot-existing lease area occupied by City departments at the Executive Complex located at 1010 Second Avenue, for 15 years, at an initial annual rent of \$1.34 per square foot or \$139,799.52 per month.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS - Executive One Associates

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-57: Authorizing Non-Exclusive Solid Waste Franchises.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/22/99. (Council voted 8-0. Councilmember Kehoe not present):

(O-99-91) ADOPTED AS ORDINANCE O-18637 (New Series)

Authorizing the City Manager to execute non-exclusive solidwaste collection franchise agreements with Daily Disposal Services, Inc., Express Waste and Roll Off Services, LLC, Emerald Waste and Recovery, Inc., and Tayman Industries, Inc., for hauling services.

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

- * ITEM-58: Granting Non-Exclusive Solid Waste Facility Franchise to EDCO Transfer Station.

(Barrio Logan and Shelltown Community Areas. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/23/99. (Council voted 8-0. Councilmember Kehoe not present):

(O-99-106) ADOPTED AS ORDINANCE O-18638 (New Series)

Granting a Non-Exclusive Solid Waste Facility Franchise to EDCO Disposal Corporation for the operation of the EDCO Transfer Station.

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

- * ITEM-59: Transfer of Non-Exclusive Agreement from Tony & Son, Inc., to Dominion Disposal.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/22/99. (Council voted 8-0. Councilmember Kehoe not present):

(O-99-92) ADOPTED AS ORDINANCE O-18639 (New Series)

Transferring the Non-Exclusive Agreement from Tony & Son, Inc. to Dominion Disposal for solid waste hauling services.

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-100: Four actions related to Approving the Final Subdivision Map of Dennery Ranch Unit No. 1C.

(This is a 126-lot subdivision. Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1062) ADOPTED AS RESOLUTION R-291456

Authorizing a Subdivision Improvement Agreement with Pardee Construction Company, for the installation and completion of public improvements.

Subitem-B: (R-99-1061) ADOPTED AS RESOLUTION R-291457

Approving the final map.

Subitem-C: (R-99-1063) ADOPTED AS RESOLUTION R-291458

Authorizing a Landscape Maintenance Agreement with Pardee Construction Company, for the installation and completion of public improvements.

Subitem-D: (R-99-1064) ADOPTED AS RESOLUTION R-291459

Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City Lot "C" of Dennery Ranch Unit No. 1C, for open space purposes.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 50.415 acre site into 120 lots for residential development, plus lots "A" through "F". It is located north of Palm Avenue and east of Dennery Road in the Otay Mesa Community Plan area. On November 9, 1993 the Council of the City of San Diego approved Planned Residential Development Permit/Resource Protection Overlay/Hillside Review Permit No. 88-0785 for Dennery Ranch Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29004-1-D through 29004-4-D, filed in the Office of the City Clerk under Micro Number 139.94. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$2,344,181 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$20,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Western Otay Mesa Public Facilities Financing Plan area, which provides for the payment of a Development Impact Fee (DIF), including parks, at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.

FILE LOCATION: Subitems A-C: SUBD - Dennery Ranch Unit No. 1C (40);
Subitem D: DEED F-7460

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-101: Street Vacation of the Southerly Excess Portion of Palm Avenue East of I-805.

(Otay Mesa/Nestor Community Area. District8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1057) ADOPTED AS RESOLUTION R-291460

Vacating the southerly excess portion of Palm Avenue, east of Interstate 805,
under the procedure for the summary vacation of streets;

Reserving and excepting from the forgoing vacation the right, easement and
privilege of placing, constructing, repairing, replacing, maintaining, using and
operating public utilities of any kind or nature;

Declaring that the easements reserved herein are in, under, over, upon, along and
across Palm Avenue;

Directing that the City Clerk to certify a copy of this resolution to be recorded in
the office of the County Recorder.

CITY MANAGER SUPPORTING INFORMATION:

The adjacent property owner has requested the subject vacation in order to eliminate excess right-of-way of Palm Avenue. The right-of-way was dedicated as a condition of recordation of the Final Map for Palm Promenade (TM-92-0736) based on a preliminary design of Palm Avenue/I-805 interchange. The final design and construction of Palm Avenue east of the I-805 interchange has been completed and accepted by the City. The finished interchange has yielded excess right-of-way on the south side of Palm Avenue as shown on Drawing No. 18144-B which is now eligible for vacation. The area of vacation is 5,488 square feet (0.126 acres) and is zoned CA. On May 1, 1995, the Otay Mesa Planning Group voted unanimously (11-0) to recommend approval of this street vacation.

FINDINGS: Staff review has determined that the vacation is consistent with the General Plan, the Otay Mesa/Nestor Community Plan, and Council Policy 600-15 and may be summarily vacated. The excess right-of-way is not required for present or prospective use, and the facilities

for which the right-of-way was originally required will not be affected. The public will benefit from the vacation through improved utilization of the land and relieving the City of maintenance and liability responsibilities.

FILE LOCATION: STRT - J-2895 (39)

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-102: Easement Vacation in Parcel 1 of Parcel Map PM-17850.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1059) ADOPTED AS RESOLUTION R-291461

Vacating unneeded drainage, slope and water easements and a portion of existing general utility and access easements, all being in Parcel 1 of Parcel Map PM-17850, pursuant to the California Streets and Highways Code.

CITY MANAGER SUPPORTING INFORMATION:

The City Council is requested to vacate unneeded drainage, slope and water easements. The existing easements are being replaced to accommodate the development of a new, 140 room, hotel at Pacific Heights Boulevard and Mira Mesa Boulevard. The site is located in the Mira Mesa Community Area. A replacement general utilities and access easement has been granted to the City and accepted by the City Engineer as shown on Drawing No. 28785-1-D. The easements to be vacated and the new easement were acquired at no cost to the City. Staff recommends approval.

FILE LOCATION: DEED F-7461

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-103: Reimbursement of Expenditures in Connection with the City's Wastewater Projects.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1056) ADOPTED AS RESOLUTION R-291462

Declaring the City's intent to use proceeds of indebtedness to reimburse itself for expenditures in connection with the City's Wastewater Projects.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego or the Public Facilities Financing Authority of the City of San Diego, on behalf of the City, intends to acquire and construct, or cause to be acquired or constructed, certain improvements, additions, and/or rehabilitation to the City Metropolitan and Municipal Wastewater Systems. The City or the Authority expects to pay certain expenditures (Reimbursement Expenditures) in connection with the projects prior to the issuance of indebtedness for the purpose of financing costs associated with the projects on a long-term basis. Section 1.150-2 of the Treasury Regulations requires the City or the Authority to declare its reasonable official intent to reimburse prior expenditures for the projects with proceeds of a subsequent borrowing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-104: Parking Meters on W. University Avenue.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-99-114) INTRODUCED, TO BE ADOPTED APRIL 26, 1999

Introduction of an Ordinance establishing a two-hour metered time limit parking zone, effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted on the north and south sides of W. University Avenue between First Avenue and Albatross Street;

Authorizing the installation of the necessary signs and markings; the regulations shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

The action establishes a two-hour metered time limit parking zone effective between 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the north and south sides of W. University Avenue between First Avenue and Albatross Street. Council approval is required according to Municipal Code Section 86.04.

Recent studies indicate that this segment of W. University Avenue is heavily impacted by long term parking. The average parking occupancy is 85.5%, the average parking duration is 5.8 hours, and the average turnover is 1.47 parkers per space. This satisfies the criteria established in Council Policy 200-04 for the installation of time limit parking.

A petition representing 80% of the affected properties was submitted in support of this action.

The Uptown Planners support this action.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO INTRODUCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-105: Time Limit Parking on El Cajon Boulevard.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1051) ADOPTED AS RESOLUTION R-291463

Establishing a two-hour unmetered time limit parking zone, effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the south side of El Cajon Boulevard from Ohio Street to a point 130 feet to the east;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes a two-hour unmetered time limit parking zone effective between 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the south side of El Cajon Boulevard from Ohio Street to a point 130 feet to the east. Council approval is required according to the San Diego Municipal Code Section 86.04.

Recent studies indicate that this segment of El Cajon Boulevard is heavily impacted by long term parking. The average parking occupancy is 88%, the average parking duration is 6.6 hours, and the average turnover is 1.3 parkers per space. This satisfies the criteria established in Council Policy 200-04 for the installation of time limit parking. A petition representing the one affected property was submitted in support of this action. The Greater North Park Planning Committee supports this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-106: One-Way Southbound on Clove Street.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1050) ADOPTED AS RESOLUTION R-291464

Declaring Clove Street between Chatsworth Boulevard and Elliott Street to be one-way southbound;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action converts Clove Street to one-way southbound operation between Chatsworth Boulevard and Elliott Street. Council approval is required according to the San Diego Municipal Code Section 82.19. A petition representing 75% of the affected properties was submitted in support of this action. The Peninsula Community Planning Board supports this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-107: The Year of Literacy.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1075) ADOPTED AS RESOLUTION R-291465

Proclaiming 1999 to be "The Year of Literacy" in San Diego while recognizing the noble mission of San Diego READS Literacy Campaign.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-108: Excusing Councilmember Christine Kehoe from attending the City Council Meetings and Committee Meetings of 3/22/99, 3/23/99 and 3/24/99.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1060) ADOPTED AS RESOLUTION R-291466

Excusing Councilmember Christine Kehoe from attending the regularly scheduled City Council meetings, due to her attendance to other official City business:

1. The regularly scheduled City Council meeting and Evening Special Council meeting of Monday, March 22, 1999.
2. The regularly scheduled City Council meeting of Tuesday, March 23, 1999.
3. The regularly scheduled Public Safety and Neighborhood Services Committee meeting of Wednesday, March 24, 1999.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-109: Industrial/Retail Space Lease - San Diego Police Department.

(Midway Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-965) ADOPTED AS RESOLUTION R-291467

Authorizing a month to month lease agreement with Sports Arena Village, LTD, for the Community Relations Storefront office space located at 3750 Sports Arena Blvd. Suite 3, San Diego, for use as a San Diego Police Department community relations storefront at an initial annual rent of zero dollars;

Authorizing by the City Auditor and Comptroller to expend an amount not to exceed \$975.00 from the Police Department budget General Fund FY 1999 for operating expenses from April 1, 1999 through June 30, 1999.

CITY MANAGER SUPPORTING INFORMATION:

The Police Department has requested the establishment of a Community Relations Storefront Office at 3750 Sports Arena Blvd., Suite 3. The new storefront will provide police services to the Community of Midway.

A summary of the proposed lease is as follows:

Commencement Date: April 1, 1999.

Use: Police Department Community Relations Storefront Office.

Size: Approximately 800 square feet.

Term: Month to month tenancy.

Rent: Zero.

Operating Expenses: \$325.00 per month.

Tenant Improvements: Lessor shall install new carpet and paint at Lessor's cost.

Utilities: Lessee pays only separately metered electric charges.

Aud. Cert. 9900991.

FILE LOCATION: LEAS - Sports Arena Village, LTD

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-110: Mr. Agustin 'Augie' Escamilla Recognition Day.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1088) ADOPTED AS RESOLUTION R-291468

Commending Mr. Agustin "Augie" Escamilla for his outstanding service and numerous contributions to the community;

Proclaiming Saturday, April 17, 1999 to be "Mr. Agustin 'Augie' Escamilla Recognition Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-111: Bruce Boland Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1097) ADOPTED AS RESOLUTION R-291469

Proclaiming Tuesday, April 13, 1999 to be "Bruce Boland Day" in San Diego, in recognition of his personal and professional accomplishments on behalf of the people of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-112: Helen Duffy Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1098) ADOPTED AS RESOLUTION R-291470

Proclaiming Monday, April 12, 1999 to be "Helen Duffy Day" in San Diego, in recognition of her achievements on behalf of Mission Bay and outstanding contributions to the San Diego community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

- * ITEM-113: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-99-936) ADOPTED AS RESOLUTION R-291471

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-150: Two actions related to Leash-Free Areas for Dogs in Parks and Process for Establishing Future Leash-Free Areas.

(See Committee Consultant Report LU&H-98-2; City Manager Reports CMR-98-235 and CMR-98-141; memorandum from Park and Recreation Director dated 3/22/99.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-99-90) INTRODUCED, TO BE ADOPTED ON APRIL 26, 1999

Introduction of an Ordinance amending Chapter VI, Article 3, Division 1 of the San Diego Municipal Code by amending Section 63.0102, relating to Regulating the Use of Public Parks and Beaches.

Subitem-B: (R-99-861 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-291472

Adoption of a Resolution retaining certain Leash-Free Areas for Dogs in Parks and Establishing a Process for Designating Future Leash-Free Areas.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 1/20/99, LU&H voted 5-0 to accept the City Manager's recommendations with the following amendments:

- A. Add to the overview of the designation process, #2: "User Group must post notice in the park of their proposal for a leash free area."
- B. Add to the overview of the designation process, #2: "The User Group must notify the Councilmember in whose District the proposed leash free park is located."
- C. Add to the cover letter, #1: "Applications for leash free areas in parks will not be accepted for: The immediate picnic table or barbecue area of a park."
- D. "Established Athletic Fields" in cover letter, #1 will be defined as: "Any area where the Park and Recreation Department issues permits for organized sports play, whether the area is fenced or not."

- E. Add to cover letter, #3: "The posted sign(s) shall describe the boundaries of the leash free area."

Amendment by Councilmember Mathis to discuss at full City Council if there is a need for an established "standing advisory group" on this issue. (Councilmembers Vargas, Mathis, Wear, Stevens and McCarty voted yea.)

FILE LOCATION: Subitem A: NONE; Subitem B: MEET

COUNCIL ACTION: (Tape location: C038-E440.)

MOTION BY McCARTY TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION, APPROVING THE CITY MANAGER'S RECOMMENDATION AS LISTED ON CITY MANAGER REPORT NO. 98-235 DATED DECEMBER 18, 1998, WITH THE AMENDMENT REQUESTED BY COUNCIL MEMBER KEHOE, FOR THE WEEKEND AND HOLIDAY HOURS AT GRAPE STREET PARK TO BE FROM 9:00 A.M. TO 11:00 A.M. IN THE MORNING, AND 4:00 P.M. TO 9:00 P.M. IN THE EVENING, AND THE WEEKDAY HOURS TO BE FROM 7:30 A.M. TO 10:00 A.M. IN THE MORNING, AND 4:00 P.M. TO 9:00 P.M. IN THE EVENING. APPROVE THE FIVE AMENDMENTS REQUESTED AND VOTED ON BY THE LU&H COMMITTEE ON JANUARY 20, 1999, AS STATED ON THE DOCKET. MOVE FORWARD WITH THE PROCESS ON A TRIAL BASIS FOR ONE YEAR. AFTER ONE YEAR THE PROCESS SHOULD BE EVALUATED BY THE LOCAL PLANNING GROUPS AND OTHERS, AND HEARD AT THE LU&H COMMITTEE THEREAFTER. IF THE PROCESS IS NOT WORKING, STAFF IS REQUESTED TO BRING BACK ANY CHANGES THAT HAVE TO BE MADE. ACCEPT COUNCIL MEMBER STEVENS' REQUEST TO INCLUDE IN THE POLICY THAT THE REGULAR AND PERMIT USERS OF THE PARK WILL BE NOTIFIED OF THE PROPOSED CHANGE. DEFER THE "STANDING ADVISORY GROUP" FOR ONE YEAR, AT THE REQUEST OF COUNCIL MEMBER MATHIS. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-151: A Presentation by Ms. Rebecca Speer on the Need to Prevent Violence in the Workplace.

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-99-793) ADOPTED AS RESOLUTION R-291473

Accepting Ms. Rebecca Speer's presentation to the City Council on the need to prevent violence in the workplace.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

Initiated by PS&NS on 8/5/98. Recommendation to have Ms. Rebecca Speer give a presentation on the need to prevent violence in the workplace to the City Council. Councilmember McCarty asked that the matter be reviewed by the Committee periodically. (No vote taken.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B061-C037.)

MOTION BY KEHOE TO ADOPT THE RESOLUTION ACCEPTING THE REPORT AND TO REQUEST THAT THE CITY MANAGER COME BACK WITH AN EVALUATION OF THE CITY'S ZERO TOLERANCE POLICY ON BOTH THE WORK PLACE VIOLENCE ISSUE AND ON DIVERSITY BECAUSE THEY ARE VERY CLOSELY RELATED. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-200: Master Lease Agreements for Financing the Acquisition of Equipment through Lease-Purchase.

(See City Manager Report CMR-99-66.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-99-151 Corr.) INTRODUCED, TO BE ADOPTED ON APRIL 26, 1999

Introduction of an Ordinance authorizing a Master Lease Agreement with Pitney Bowes Credit Corporation (PBCC), to serve as a primary lease provider for the 3, 4 and 5-year lease terms and as a primary back-up lease provider for the 6 and 7-year lease terms for the purpose of financing the acquisition of equipment through lease-purchase;

Authorizing a Master Lease Agreement with BA Leasing and Capital Corporation (BALCAP) to serve as a primary lease provider for the 6 and 7-year lease terms for the purpose of financing the acquisition of equipment through lease-purchase;

Authorizing a Master Lease Agreement with GE Capital Public Finance Corporation (GE Capital) to serve as a primary back-up lease provider for the 3, 4 and 5-year lease terms and as a secondary back-up lease provider for the 6 and 7 year lease terms for the purpose of financing the acquisition of equipment through lease-purchase;

Authorizing the Lease Refinance Agreement with the most qualified proposer for the purpose of refinancing equipment through lease-purchase when interest rate conditions merit.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO INTRODUCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-201: Status of TransNet Fund.

(See City Manager Report CMR-99-65)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-976) ADOPTED AS RESOLUTION R-291474

Approving the deappropriation of \$2,764,471 of TransNet Bond Fund 30302 as follows: \$151,506 in CIP-52-555.0, Georgia Street Bridge; \$200,000 in CIP-52-436.0, National Avenue - SR15 to 43rd Street; \$524,000 in CIP-52-534.0, 43rd Street Widening; \$120,000 in CIP-52-654.0, Lisbon Street - Imperial Avenue 217' east of 71st Street; \$250,000 in CIP-52-509.1, Jamacha - Meadowbrook to Cardiff; \$75,000 in CIP-52-409.0, 43rd Street - Logan/National; \$522,710 in CIP-12-016.0, Euclid Avenue Slope Restoration; \$100,000 in CIP-12-133.0, (Canyon Lake and Pinetree Drain; \$200,000 in CIP-12-135.0, Washington Street at Dove Storm Drain; \$70,000 in CIP-17-104.5, Caminito Del Canto Drain; \$551,255 in CIP-12-134.0, Sorrento Creek Mitigation;

Authorizing the appropriation of \$1,970,506 in TransNet Sales Tax Fund 30300 to the following projects: \$151,506 to CIP-52-555.0, Georgia Street Bridge; \$200,000 to CIP-52-436.0, National Avenue - SR15 to 43rd Street; \$524,000 to CIP-52-534.0, 43rd Street Widening; \$120,000 to CIP-52-654.0, Lisbon Street - Imperial Avenue 217' East of 71st street; \$250,000 to CIP-52-509.1, Jamacha - Meadowbrook to Cardiff; \$75,000 to CIP-52-409.0, 43rd Street - Logan/National; \$280,000 to CIP-12-016.0, Euclid Avenue Slope Restoration; \$100,000 to CIP-12-133.0, Canyon Lake and Pinetree Drain; \$200,000 to CIP-12-135.0, Washington Street at Dove Storm Drain; and \$70,000 to CIP-17-104.5, Caminito Del Canto Drain;

Approving the appropriation of \$793,965 from TransNet prior year savings Fund 30300 as follows: \$551,255 to CIP-12-134.0, Sorrento Creek Mitigation; and \$242,710 to CIP-12-016.0, Euclid Avenue Slope Restoration;

Authorizing the City Manager to request advance funding up to \$1,900,000 from SANDAG through their commercial paper program to fund CIP projects and to return to Council for final approval of any agreement reached.

Aud. Cert. 9901037.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-not present.

ITEM-202: Two actions related to the Construction of Fire Station No. 44 and Certifying Negative Declaration LDR-98-0166.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-993) ADOPTED AS RESOLUTION R-291475

Inviting bids for the Construction of Fire Station No. 44 on Work Order No. 112174;

Authorizing the execution of a contract with the lowest responsible bidder;

Amending the FY99 CIP Budget to increase the CIP-33-0830 budget by \$34,000 in FBA Fund 79006-Funding and appropriate this amount in this project and amending the FY99 CIP Budget to reflect the increased appropriation of \$34,000 in CIP-33-0830;

Authorizing the expenditure of not to exceed \$2,139,050 from CIP-33-083.0, Fire Station No. 44, FBA Fund No. 79006;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99206C)

Subitem-B: (R-99-994) ADOPTED AS RESOLUTION R-291476

Certifying that the information contained in Negative Declaration LDR-98-0166, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

The proposed project will provide for construction of a 8,500 square foot Fire Station located at Black Mountain Road and Maya Linda Road. The facility will be used to house eleven firefighters, and three fire apparatus. Fire Station No. 44 will serve the commercial Miramar Road area.

Aud. Cert. 9900994.

FILE LOCATION: Subitems A-B: W.O. 112174, CONT - Golden Springs Construction

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-203: Amendment to Ace Parking Agreement.

(District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1099) ADOPTED AS RESOLUTION R-291477

Authorizing the execution of a first amendment to the 1996 agreement with Ace Parking, for the operation of the Parking Facility at Qualcomm Stadium.

CITY MANAGER SUPPORTING INFORMATION:

In 1996 the City and Ace Parking entered into a three year agreement to operate the Stadium parking lot. The agreement expires on March 19, 1999, but may be extended for one additional three year term ending on March 18, 2002. The agreement also allows either party to request a renegotiation of the terms of the agreement. Both the City and Ace Parking are in agreement to extend the contract under the same terms and conditions with the following amendments:

1. Ace Parking, Inc. will pay the City \$50,000 on or before April 20, 1999;
2. At the conclusion of the agreement on March 18, 2002, the agreement may be extended for one additional three year term ending on March 18, 2005, under the same terms and conditions;
3. In the event of an increase in the minimum wage during the period of March 19, 1999 - March 18, 2002, or the number of events for the period of March 19, 2002 - March 18, 2003 is projected to be 50 percent less than the previous year, both parties shall negotiate in good faith new rental terms.

MANAGER'S RECOMMENDATION:

It is recommended that the amendments be approved since Ace Parking has provided an outstanding level of service, and the City will receive an additional \$50,000.

OTHER RECOMMENDATIONS:

The Stadium Advisory Board at their March 4, 1999 meeting, unanimously approved the amendments. The San Diego Padres and San Diego Chargers are supportive of extending the agreement.

FILE LOCATION: MEET (61)

COUNCIL ACTION: (Tape location: A584-B060.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Wear at 5:30 p.m. in honor of the memory of:

George Konar, Sr., as requested by Council Member McCarty;

Reverend James Sassone, as requested by Council Member McCarty; and

Chuck Marshall; as requested by Mayor Golding.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: E441-489.)